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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBERT GEOFFREY DAVIS,

Petitioner,

vs.

GABRIELA NAJERA, *et al.*,

Respondents

Case No.: 2:23-cv-01208-APG-MDC

**ORDER GRANTING
UNOPPOSED MOTION FOR
ENLARGEMENT OF TIME TO
REPLY TO OPPOSITION TO MOTION
TO DISMISS (FIRST REQUEST)**

Respondents, by and through counsel, Aaron D. Ford, Attorney General of the State of Nevada, hereby respectfully move this Court for an enlargement of seventy (70) day enlargement of time, to and including January 23, 2025, in which to file and serve their reply to the opposition to the motion to dismiss, ECF No. 44.

This motion is based upon the provisions of Rule 6(b) of the Federal Rules of Civil Procedure and the attached Declaration of Counsel, as well as all other papers, documents, records, pleadings and other materials on file herein.

This motion is made in good faith and not for the purpose of delay.

RESPECTFULLY SUBMITTED this 13th day of November, 2024.

AARON D. FORD
Attorney General

By: /s/ Leslie A. Healer
LESLIE A. HEALER (Bar No. 16710)
Deputy Attorney General

DECLARATION OF COUNSEL

STATE OF NEVADA)
 : ss.
CARSON CITY)

I, LESLIE A. HEALER, hereby state, based on personal knowledge and/or information and belief, that the assertions of this declaration are true:

1. I am a Deputy Attorney General of the Post-Conviction Division of the Nevada Attorney General's Office, and I make this declaration on behalf of Respondents' motion for enlargement of time.

2. My reply to the opposition to the motion to dismiss (ECF No. 44) in this matter is currently due on November 14, 2024.

3. By this motion, I am requesting a seventy (70) day enlargement of time, to and including January 23, 2025, in which to file my reply. This is the first request for enlargement of time.

4. I require additional time to complete my reply in this matter.

5. I have filed a motion to dismiss in *Moore v. Oliver*, 2:24-cv-00774-JAD-MDC and a response in *Sanchez-Rodriguez v. Breitenbach*, 3:24-cv-00032-ART-CSD. In addition, I have filed multiple responses in the state courts.

6. I recently filed an answering brief in *Patterson v. Attorney General of the State of Nevada*, 23-3078 in the Ninth Circuit Court of Appeals.

7. I am diligently working to respond to all the pending due dates.

8. I am unable with due diligence to timely complete the reply to the opposition to the motion to dismiss herein. I have been contending with significant medical/health issues which has required significant time out of the office. I have been diligently striving to resolve and/or work around these issues, but they have significantly impacted my ability to complete the reply to the opposition to the motion to dismiss in a timely fashion, thus necessitating an extension.

9. I contacted counsel for the petitioner, and Ron Sung indicated that he has no objection to this request.

10. As such, this motion for enlargement of time is made in good faith and not for the purpose of unduly delaying the ultimate disposition of this case.

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1 Pursuant to 28 U.S.C. § 1746, Declarant herein certifies, under penalty of perjury, that the
2 foregoing is true and correct.

3 Dated this 13th day of November, 2024.

4 By: /s/ Leslie A. Healer
LESLIE A. HEALER (Bar No. 16710)

6 **ORDER**

7 IT IS SO ORDERED.

8 Dated this 13th day of November, 2024.

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ANDREW P. GORDON
CHIEF DISTRICT COURT JUDGE